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PATENT  
UMD 1-037CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application Of:  
Kirin K. Chada et al.

Group Art Unit: 1652 1653

Serial No.: 08/852,666

Examiner: Devesh Srivastava

Filed: 7 May 1997

For: **HMGI PROTEINS IN CANCER AND OBESITY**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Box CPA

**CONTINUING PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL  
PURSUANT TO 37 C.F.R. SECTION 1.53(D)**

Dear Sir

This is a request for a patent application filing pursuant to the continuing prosecution application procedure in accord with 37 C.F.R. Section 1.53(d).

**1. TYPE OF APPLICATION**

This application is for a

  X   Continuation  
      Divisional

of parent application serial no 08/852,666, filed 7 May 1997,  
and entitled (as originally filed or as last amended)

**HMGI PROTEINS IN CANCER AND OBESITY**

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed, are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on this 28th of March, 2000.

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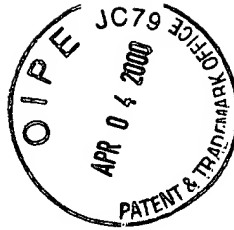
Richard R. Muccino

Richard R. Muccino

Reg. No. 32,538

28 March 00  
date

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Filed 7 May 1997  
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in the names of the following inventor(s) having the current correspondence addresses (as originally filed or as last amended)

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Full name of sole  
or first Inventor

Kirin K. Chada

Residence and  
Mailing Address

268 Liberty Bell Court  
North Brunswick  
New Jersey 08902

Country of  
Citizenship

Great Britain

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Full name of  
second Inventor

Hena R. Ashar

Residence and  
Mailing Address

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Edison  
New Jersey 08817

Country of  
Citizenship

India

---

Full name of  
third Inventor

Alexei Tkachenko

Residence and  
Mailing Address

121 Manor Crescent  
New Brunswick  
New Jersey 08901

Country of  
Citizenship

Russia

---

Full name of  
fourth Inventor

Xianjin Zhou

Residence and  
Mailing Address

723 Bevier Road  
Piscataway  
New Jersey 08854

Country of  
Citizenship

China

---

The above-identified parent application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application.

Secrecy pursuant to 35 U.S. Section 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. Section 1.53(d) application, be it either this application or a parent application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

## 2. INVENTORSHIP STATEMENT

☒ (a) This application discloses and claims only subject matter disclosed in the parent application set out above. The inventors in this application are:

☒ The same as those in the parent application.  
☐ Less than those named in the parent application.  
☐ Kindly delete the following inventors:

☒ (b) The inventorship for all the claims in this application are:

☒ The same.  
☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.  
☐ will be submitted.

## 3. DECLARATION OR OATH

(a) Continuation or Divisional.

☒ None required.

#### 4. POWER OF ATTORNEY

The power of attorney in the parent application is to

Richard R. Muccino

Registration No. 32,538

☒ The power of attorney appears in the original papers in the parent application.

☐ The power of attorney does not appear in the original papers in the parent application, but was filed on .

☐ A new power of attorney has been executed and is filed herewith.

☒ Kindly direct future communications to:

Richard R. Muccino  
758 Springfield Avenue  
Summit, New Jersey 07901  
(908) 273-4988

#### 5. ASSIGNMENT

☒ The parent application is assigned of record to

University of Medicine & Dentistry of New Jersey, a corporation of the State of New Jersey having a place of business at 60 Bergen Street, Newark, New Jersey 07107-3000.

☐ An assignment of the invention to:

☐ Is enclosed (stapled to a copy of this letter).  
☐ Will follow.

**6. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 119**

Foreign priority benefits under 35 U. S. C. Section 119 are claimed from the foreign application(s) for patent or inventor's certificate listed below.

**Prior Foreign Application(s)**

Application Number	Country	Filing Date	Priority Claimed

\_\_\_\_\_ The certified copy from which priority is claimed under 35 U.S.C. 119 has been filed in parent application serial no: -----, filed on -----.

\_\_\_\_\_ The certified copy will follow.

**7. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 120**

  X   Kindly amend the specification by inserting before the first line the following sentence:

"This is a

  X   continuation

\_\_\_\_\_ divisional

application of copending patent application serial no 08/852,666, filed 7 May 1997."

**8. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION**

  X   The time for response, without the filing of a petition for extension of time, in the pending parent application is 28 January 2000.

  X   A petition for a two (2) month extension of time, the fee, and a response has been filed in the pending parent application to extend the term until 28 March 2000. A copy of the petition for extension of time filed in the pending parent application is attached.

**9. ABANDONMENT OF PRIOR APPLICATION.**

  X   Please abandon the parent United States application(s) referred to above at a time while the parent application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with the parent application. At the same time, please add the words "now abandoned" to the amendment to the specification set forth in Section 7 above.

**10. ADDITIONAL PAPERS ENCLOSED**

       Express Mail Certification (part of this transmittal letter).  
  X   Two (2) stamped return-addressed postcards.  
  X   Check in the amount of \$603.00 calculated as set forth below.  
       Other.

**11. CLAIMS FOR FURTHER PROSECUTION**

  X   The fees to be charged are based on the number of claims remaining in the application as a result of:

       The claims on file in the parent application.

       The claims in the unentered amendment filed under 37 C.F.R. Section 1.116 in the parent application and now resubmitted for reconsideration.

  X   The attached preliminary amendment.

**12. FILING FEE CALCULATION**

A.   X   REGULAR APPLICATION.

Claims as filed				
	Number Filed	Number Extra	Rate	
Basic Fee				\$ 690.00
Total Claims	40	-20 = <u>  20  </u> x	\$18.00. =	\$ 360.00
Independent Claims	5	-3 = <u>  2  </u> x	\$78.00 =	\$ 156.00
Multiple dependent claim(s), if any			\$260.00	\$ -----
				TOTAL FEE \$ 1206.00

       Fee for extra claims is not being paid at this time.

**13. SMALL ENTITY STATEMENT(S)**

☒ Verified Statement that this is a filing by a small entity under 37 C.F.R. Sections 1.9 and 1.27 was filed in the parent application and this status is still proper and its benefit under 37 C.F.R. Section 1.28(a) is claimed.

☐ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. Sections 1.9 and 1.27 is(are) attached.

Filing Fee Calculation  
(50% of above) \$603.00

**14. FEE PAYMENT BEING MADE AT THIS TIME**

☐ No filing fee is enclosed.

☒ The filing fee is enclosed.

☒ Basic filing fee. \$ 603.00

☐ Recording Assignment fee.  
(\$40.00; 37 C.F.R. Section 1.21(h)(1)) \$

☐ Petition fee for filing by other than all  
the inventors or person on behalf of  
the inventor where inventor refused or  
cannot be reached.  
(\$140.00; 37 C.F.R. Sections 1.47 and 1.17(h)). \$ \_\_\_\_\_

☐ For Processing an application with a  
specification in non-English language.  
((\$26.00; 37 C.F.R. Sections 1.52(d)  
and 1.17(k)). \$ \_\_\_\_\_

☐ Processing and retention fee.  
(\$100.00; 37 C.F.R. Sections 1.53(d)  
and 1.21(l)). \$ \_\_\_\_\_

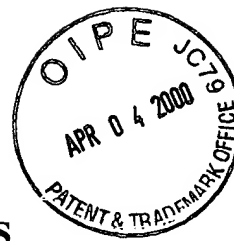
**TOTAL FEES ENCLOSED \$ 603.00**

**15. METHOD OF PAYMENT OF FEES**

☒ Check in the amount of \$ 603.00 is enclosed.

☐ Charge Deposit Account 13-4822 in the amount of \$ .

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**16. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

  X   The Commissioner is hereby authorized to charge all fees required during the entire pendency of this application except the issue fee to Deposit Account 13-4822.

**17. INSTRUCTIONS REGARDING OVERPAYMENT**

  X   Credit any overpayment to Deposit Account 13-4822.

       Refund.

(A duplicate of this transmittal letter is attached.)

A handwritten signature in dark ink, appearing to read "Richard R. Muccino", written over a horizontal line.

RICHARD R. MUCCINO  
Attorney For Applicant(s)  
Registration Number 32,538

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Please forward correspondence to:

Richard R. Muccino  
758 Springfield Avenue  
Summit, New Jersey 07901  
(908) 273-4988  
Enclosures